

REMARKS

5 Applicants respectfully request further examination and consideration in view of the above amendments and the arguments set forth fully below. Claims 1-26 were previously pending in this application. Within the Office Action, Claims 1-26 have been rejected. No claims are amended, added, or canceled. Accordingly, Claims 1-26 are currently pending.

Rejections Under 35 U.S.C. § 102

10 Claims 1-5 and 7-20 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,463,304 B2 (hereinafter “Smethers”). Applicants respectfully traverse this rejection.

Claim 1 is directed to a menu-driven electronic device comprising: a.) a display configured to selectively display one of a plurality of menus, including a main menu and a sub-menu; and b.) a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item.

15 Smethers does not teach, suggest, or disclose all of the limitations of Claim 1, namely, the limitation of “a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item” (emphasis added). For this limitation in Claim 1, the Office Action cites to Figure 1, element 112, Figure 3B and related description in col. 6, lines 30-42, and column 8, lines 10-15 of 20 Smethers. Applicants respectfully disagree with this conclusion.

Within the Response to Arguments section, the Examiner states that the description in column 6 (of Smethers) describes a browser in which the navigation key is used to first select the browser and then select content channels within the browser. However, there is no indication within Smethers to support this assertion. An image map 118 is displayed in which four icons 120, 124, 128, 132 are 25 associated to the four arrows of the navigation key 112. By selecting the appropriate arrow within the navigation key 112, one of four corresponding applications is launched. For example, pressing the left arrow on the navigation key 112 launches the browser application, as indicated by the icon 128. In response, the browser application is displayed, as in Figure 3B, at which point a sub-menu 352 is displayed. However, at this point, there is no hint, teaching, or suggestion within Smethers that indicates that the navigation key 112 is used to select an item from the sub-menu 352. In fact, 30 Smethers explicitly teaches that the navigation key 112 is only used to select an application from the application menu, which is displayed as image map 118 and includes the four icons 120, 124, 128,

132. This is supported by Smethers, col. 8, lines 6-34, as also cited by the Examiner. In contrast to the assertion made by the Examiner, Smethers teaches that a sub-item from the sub-menu (list 352 in Figure 3B) is selected in the conventional manner, by scrolling up and down through the list using the navigation key 112, and then selecting a particular item from the list 352 by pressing the soft key 356, labeled as "OK" in Figure 3B. This is not the same as using the navigation key 112 to select a sub-menu item from the sub-menu, as claimed.

5 Within the Response to Arguments section, the Examiner further asserts that Smethers discloses how a user would go about mapping the navigation keys so that the user could use them to select the sub-menu item as claimed by the Applicant. However, the cited portion of Smethers (col. 8, lines 6-  
10 34) is clearly directed to extending the applications menu (image map 118) to more than four applications. As discussed above, extending the number of applications is not directed to mapping the navigation key 112 to the sub-menu items 352 in Figure 3B. As such, Smethers does not teach mapping the sub-menu items 352 to the navigation key 112 so that the navigation key 112 can be used to select one of the sub-menu items 352.

15 In contrast to the teaching of Smethers, the present invention allows for both a main menu item and a sub-menu item to be selected using a two-dimensional navigation key. For at least these reasons, the independent Claim 1 is allowable over Smethers. Claims 2-5 and 7-17 are dependent upon the independent Claim 1. Accordingly, Claims 2-5 and 7-17 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

20 Claim 18 is directed to a menu-driven wireless telecommunications device comprising: a.) a display configured to selectively display one of a plurality of menus, including a main menu and a sub-menu; and b.) a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu and to select a sub-menu item of the sub-menu associated with a selected main menu item, wherein the device displays a plurality of sub-menu items. As discussed in detail above, Smethers does not teach a two-dimensional navigation key configured to select a sub-menu item of the sub-menu associated with a selected main menu item.

25 For at least these reasons, the independent Claim 18 is allowable over Smethers. Claims 19-20 are dependent upon the independent Claim 18. Accordingly, Claims 19-20 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

**Rejection Under 35 U.S.C. § 103**

Claims 6 and 21-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smethers in view of U.S. Patent Application Publication No. 2003/0064757 to Yamadera et al. (hereinafter “Yamadera”). Within the Office Action, it is acknowledged that Smethers does not teach displaying a second sub-menu or that the two-dimensional navigation key is configured to select a second sub-menu item of the second sub-menu associated with the selected main menu item. The Examiner contends that Yamadera teaches a method of displaying and selecting multiple sub-menus using a navigation key that can move in four directions. It is concludes that it would have been obvious to one of ordinary skill in the art that Smethers would include additional submenus as taught by Yamadera because additional submenus allow a user to select more specific actions. Applicants respectfully disagree.

Yamadera is cited as teaching the claimed limitation of selecting a second sub-menu item of the second sub-menu associated with the selected main menu item. Yamadera is not cited as teaching a two-dimensional navigation key configured to select a sub-menu item of the sub-menu associated with a selected main menu item, as claimed in Claim 23. Instead, Smethers is cited as teaching this limitation. However, as described above, Smethers does not teach a two-dimensional navigation key configured to select a sub-menu item of the sub-menu associated with a selected main menu item. As such, the cited combination of Smethers and Yamadera do not teach a two-dimensional navigation key configured to select a sub-menu item of the sub-menu associated with a selected main menu item.

Claim 23 is directed to a menu-driven wireless telecommunications device comprising: a.) a display configured to selectively display one of a plurality of menus, including a main menu, a first sub-menu, and a second sub-menu; and b.) a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu, to select a first sub-menu item of the first sub-menu associated with a selected main menu item, and further to select a second sub-menu item of the second sub-menu associated with the selected main menu item. As discussed above, the cited combination of Smethers and Yamadera fails to teach the limitation “a two-dimensional navigation key configured to select one of a plurality of main menu items of the main menu, to select a first sub-menu item of the first sub-menu associated with a selected main menu item, and further to select a second sub-menu item of the second sub-menu associated with the selected main menu item.”

For at least these reasons, the independent Claim 23 is allowable over the combination of Smethers and Yamadera. Claims 24-26 are dependent upon the independent Claim 23. As discussed above, the independent Claim 23 is allowable over Smethers in view of Yamadera. Accordingly,

PATENT  
Attorney Docket No.: FLEX-00300

Claims 24-26 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Claim 6 depends upon the independent Claim 1. Claims 21-22 depend upon the independent Claim 18. As discussed in the previous section, the independent Claims 1 and 18 are allowable over the teachings of Smethers. Accordingly, Claims 6 and 21-22 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

**Conclusion**

For the reasons given above, Applicants respectfully submit that the Claims 1-26 are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,  
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Dated: 10-17-06

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**CERTIFICATE OF MAILING (37 CFR § 1.8(a))**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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